



Lasqueti Island Local Trust Committee

Minutes of Regular Meeting

Date: March 20, 2023

Location: Judith Fisher Centre
#1 China Cloud Bay Road
Lasqueti Island, BC

Members Present: Tobi Elliott, Chair
Timothy Peterson, Local Trustee
Mikaila Lironi, Local Trustee by Zoom

Staff Present: Sonja Zupanec, Island Planner
Stephen Baugh, Planner 2
Katherine Vogt, Recorder by Zoom

Others Present: Andrew Fall, qathet Electoral Area Director by Zoom
There were approximately four (4) members of the public and no members of the media in attendance.

1. CALL TO ORDER

The Chair called the meeting to order at 11:10 am. She acknowledged that the meeting was being held in territory of the Coast Salish First Nations. She introduced herself, Trustees, Staff, and Director Fall and welcomed members of the public.

2. APPROVAL OF AGENDA

The following additions to the agenda were presented for consideration:

- Add Addendum Item 12.2: Draft Protocol Agreement between Trust Council and Snaw-naw-as First Nation-Briefing.
- Add Item 12.3: Consideration of Local Trust Committee drafting a letter to Telus regarding problems with local telephone service.
- Item 12.4: Consideration of request for the Islands Trust Chief Administrative Officer to write a letter to the Manager of the Ministry of Transportation and Infrastructure concerning next steps on the barge ramp.

By general consent the agenda was adopted as amended.

3. RISE AND REPORT - In-camera Meeting January 23, 2023

The Chair reminded that the announcement of the recent Advisory Planning Commission (APC) appointments had been made at the end of the last Local Trust Committee (LTC) meeting.

4. REPORTS

4.1 Trustee Reports

Trustee Peterson reported on the following:

- The Draft Protocol Agreement between Trust Council and Snaw-naw-as First Nation is a positive first step.
- The Lasqueti LTC is pioneering the use of new audio equipment in the LTC meeting room to increase public accessibility by making voices easier to hear.

Trustee Lironi reported on the following:

- Thank-you to Sue Ashcroft for promoting LTC meeting accessibility improvements.

4.2 Chair's Report

The Chair reported on the following:

- The upcoming Rural Islands Economic Partnership Forum April 25 to 27 on Gabriola Island will focus on housing solutions.
- An upcoming Housing Summit convened by the Union of BC Municipalities set for early April will be attended by 5 representatives of the Islands Trust.
- Trust Council budget meetings in March; a 2.05% tax increase was approved and the restoration of in-person, collaborative meetings was supported.

4.3 Electoral Area Director's Report

Director Fall reported on the following:

- The qathet Regional District (qRD) adopted its budget in February 2023 after a difficult year of high inflation.
- The qRD Board adopted a new honorarium policy for all regional Fire Departments, increasing stipends for First Responders and Firefighters.
- The qRD is partnering with Pete's Lake Water Users Society in a 50/50 cost-sharing agreement for some water tanks near the Judith Fisher Centre which will improve fire safety, especially in the dry season.
- The qRD was successful in obtaining \$28,000 in funding from the Union of BC Municipalities (UBCM) Community Emergency Preparation Fund for some fire equipment and portable generators.
- A meeting between the qRD and the Lasqueti Local Trust Committee (LTC) last week.
- The qRD Board recently adopted a new code of conduct policy which is undergoing legal review.

5. PUBLIC COMMENTS

Members of the public noted the following:

- One member of the public noted that meeting expenses in the Trust Council budget are double what was initially budgeted and expressed concern that on-island minute-taker contracts have been cut. Also, that the recently passed Islands Trust budget included a million dollars for new staff positions, one of

which may eliminate contract minute-takers completely. Trustees responded that a new Meeting Facilitator position has been approved for a one-year period and is not a full-time equivalent position and that, currently, staff is covering the equivalent of one full-time position conducting meeting facilitation which is taking time away from their regular work.

- The Chair clarified that the million dollars for new positions previously mentioned was incorrect; rather, two full-time equivalent staff salaries were approved, including up to \$79,000 for one full-time mid-level Meeting Facilitator, and \$97,000 for a Finance Manager.
- The member of the public apologized and corrected that the one million dollars represented the total of increases in staff wages and salaries. Trustees responded that these staff increases were driven by the BC Government Employees Union (BCGEU) agreement, which the Trust Council has no control over, and that the BCGEU and the Province agreed to a 6.5 % wage increase.
- The same member of the public asked for clarification of the process by which APC members were selected and expressed concern that their application had been denied.
 - The Trustees confirmed that the list of all applicants was received and considered and that the APC is meant to support the decision-making process of the LTC when the LTC is seeking broader input.
 - Staff clarified that the in-camera agenda package sent in advance of the meeting would have contained the list of applicants in order to allow trustees time to consider them.
- Traditionally, members of the public have been given 5 minutes to speak, not 3 minutes.
- The Rural Housing Initiative is very good because so little attention has been paid to rural housing.
- When will our Official Community Plan (OCP) review move forward?
 - Trustee Peterson noted the updated OCP Project Charter for consideration in the current agenda; and the LTC is anticipating a communications breakthrough with Snaw-naw-as First Nation.
- Did the Chair consult with the Trust legal department about members of the public recording at the LTC meetings? Section 184 of the Canadian Criminal Code says it is illegal to record if one is not a party to the conversation; but if you are a party to the conversation, you can record without having to get permission, unless there is a reasonable expectation of confidentiality. A public LTC meeting should have no expectation of confidentiality. Do we need the Chair's permission? The previous Chair advised that permission be asked for. The LTC should not put itself above the Criminal Code of Canada.
 - The Chair noted that the issue was being considered as a policy discussion at Trust Council. In the absence of a policy, it would be respectful to ask for each person's permission to record.

- Regarding past reports from the OCP Review, Trustees and Staff should work with the APC on a better public e-communications strategy because a past report was not mailed out.
 - Trustee Peterson noted that the LTC did post copies of the report in public spaces; but was unsure if there was a mail-out. More copies of this report could be made available, as well as re-posted and sent out.
- The telephone problem on Lasqueti is one of safety for medical emergencies. Telus has been unresponsive to my communications.
 - A Trustee noted that this issue would be discussed under Agenda Item 12.

6. MINUTES

6.1 Local Trust Committee Minutes dated January 23, 2023 - for adoption

By general consent the minutes of the Lasqueti Local Trust Committee Meeting of January 23, 2023 were adopted as presented.

6.2 Section 26 Resolutions-Without-Meeting Report - none

6.3 Advisory Planning Commission Minutes - none

7. BUSINESS ARISING FROM MINUTES

7.1 Follow-up Action List dated March 13, 2023

Received.

7.2 Model Strategy for Antenna Systems - for discussion

Trustee Peterson presented his recent email of January 11, 2023 that asks that the LTC consider the recently passed Salt Spring Island Tower Protocol Standing Resolution which requires Antenna Systems applicants to conduct broad First Nations consultation as part of their application process.

Staff noted that the federal protocol does include First Nations consultation; but that the Salt Spring Island Resolution gives the LTC access to that information; and that the following Item B of the Standing Resolution is substantially extra to the Federal protocol: 'b. The proponent is recommended to undertake consultation during the pre-consultation phase with the Islands Trust and a First Nations cultural knowledge holder for the siting of the proposed antenna system as it relates to cultural and sacred sites;'

A trustee suggested that the term 'recommended' in item b. would preferably be changed to 'will.'

LA-LTC-2023-008

It was MOVED and SECONDED,

that the Lasqueti Island Local Trust Committee request staff to analyse the language in the Salt Spring Island Local Trust Committee Standing Resolution on "Strategy for Antenna Systems" and report back to the Lasqueti Island Local Trust Committee.

CARRIED**8. APPLICATIONS AND REFERRALS - none****9. LOCAL TRUST COMMITTEE PROJECTS****9.1 Official Community Plan (OCP) Review Project Status Update - Staff Report**

Staff presented the staff report that asks Trustees to consider approving the updated OCP Review Project Charter, noting the following:

- The project is now considered minor; the new fiscal year begins April 1, 2023; Planner Baugh is the new project planner; and the project recently expanded to include an update to the minimum lot sizes at subdivision.
 - The Chair clarified that \$3000.00 had been approved for the project.
- A referral to the new APC should be going out soon; a status report on Land Use Bylaw (LUB) alignment with proposed OCP amendments is forthcoming; a work plan for the budget will be brought to the LTC for next meeting; and the website will be updated with the new Project Charter information.
- Future funds for implementing the draft protocol agreement between Trust Council and Snaw-naw-as First Nation (SFN) would not be able to be used to fund First Nation engagement regarding the Lasqueti OCP review.
- The planning staff project activity to 'Incorporate First Nation perspectives and recognition of Tla'amin Treaty rights into policy/regulatory options' is extra to the regular First Nations/LTC referral process.
- There has been recent administrative staff turnover.

LA-LTC-2023-009

It was MOVED and SECONDED,

that the Lasqueti Island Local Trust Committee approve the updated Lasqueti Official Community Plan Project Charter version 4.5 dated March 2023.

CARRIED

By general consent the meeting was recessed at 12:26 pm and reconvened at 1:02 pm.

10. DELEGATIONS - none**11. CORRESPONDENCE - none****12. NEW BUSINESS****12.1 Freedom of Information and Protection of Privacy Bylaw - Request for Decision**

Trustees received the staff report from Director of Legislative Services that asks Trustees to consider adopting "Lasqueti Island Local Trust Committee Freedom of Information and Protection of Privacy Bylaw No.101, 2023" for the purpose of updating the existing bylaw with current legislation and Schedule of Fees.

A Trustee wanted to compare the new bylaw with the existing one.

LA-LTC-2023-010

It was MOVED and SECONDED,

that the Lasqueti Island Local Trust Committee defer decision regarding the new Freedom of Information and Protection of Privacy Bylaw to the next Local Trust Committee meeting; and add the existing bylaw to the next agenda package.

CARRIED

12.2 Draft protocol Agreement between Trust Council and Snaw-naw-as First Nation-Briefing

Planner Zupanec presented the briefing from Trust Area Services that advises Trustees of the new draft protocol agreement and asks for their comments for Trust Council's consideration, noting the following:

- The Islands Trust Council can enter into agreements with First Nations on its own behalf or on behalf of a Local Trust Committee to set out how parties will work together in the future.
- There are already protocol agreements with Snuneymuxw and Lyackson First Nation.
- Snaw-naw-as First Nation's Chief and Council reviewed the draft agreement on March 15, 2023; they are requesting that the Lasqueti LTC conclude considerations of the agreement by the end of this month.
- It is anticipated that a working group of members would be created by Trust Council for attendance at protocol agreement meetings in 2023 and 2024.

LA-LTC-2023-011

It was MOVED and SECONDED,

that the Lasqueti Island Local Trust Committee endorse the draft protocol agreement with Snaw-naw-as First Nation and request staff to forward it to Executive Committee for consideration by Trust Council.

CARRIED

12.3 Consideration of Local Trust Committee drafting a letter for Telus regarding problems with local telephone service.

A trustee noted that the main issue is the lack of adequate obligatory telephone service being provided to Lasqueti, which is a major safety concern.

LA-LTC-2023-012

It was MOVED and SECONDED,

that the Lasqueti Island Local Trust Committee request Staff and the Chair to prepare a letter to Telus concerning telephone service on Lasqueti Island.

CARRIED

Trustee Peterson offered to share background information with Staff and the Chair, including information of Telus' responsibilities under the Canadian Radio-television and Telecommunications Commission (CRTC) Act; a previous letter to Telus from the qRD; and an update on some of the long-term outages that have been occurring on Lasqueti.

12.4 Consideration of request for the Islands Trust Chief Administrative Officer (CAO) to write a letter to the Manager of the Ministry of Transportation and Infrastructure (MOTI) concerning next steps on the barge ramp.

Trustee Peterson noted that the Lasqueti LTC had recently met with representatives from the qRD and had discussed how to make the barge ramp legally conforming to the roadway.

LA-LTC-2023-013

It was MOVED and SECONDED,

that the Lasqueti Island Local Trust Committee request the Chief Administrative Officer to write the Ministry of Transportation and Infrastructure Regional Manager requesting a joint meeting with the Lasqueti Local Trust Committee and the qathet Regional District concerning the barge ramp access.

CARRIED

By general consent, the following addition to the agenda was approved:

- Item 12.5: Discussion of Inviting a First Nations Elder to Open a Lasqueti LTC Meeting.

12.5 Discussion of Inviting a First Nation's Elder to Open a Lasqueti LTC meeting.

The Chair noted that a First Nations' Elder had opened the LTC meeting on Gabriola in the New Year and had provided a traditional welcome to the territory.

A Trustee noted that many First Nations had interests in Lasqueti Island so it would be difficult to conduct such an invitation in a fair and respectful manner. Further information would be needed to proceed thoughtfully.

The Chair offered that the new mid-level administrative position recently approved by Trust Council and the filling of the Senior Intergovernmental Policy Advisor position would allow greater capacity for timely and respectful communications with First Nations.

13. REPORTS

13.1 Trust Conservancy Report dated February 15, 2023

The Chair, as a member of the Trust Conservancy Board, expressed appreciation of the work the board was doing. She noted that as more lands are donated to the Conservancy, more expenditures must go toward staff and legal fees regarding management plans and ecosystem monitoring and mapping.

13.2 Applications Report dated March 13, 2023

Planner Zupanec provided an update that Subdivision File LA-SUB-2019.1 was awaiting a letter from the applicant that would finalize their subdivision plan.

13.3 Trustee and Local Expense Report dated January, 2023

The Chair noted that the new rented sound equipment for enhanced LTC meeting hearing accessibility would be coming out of the LTC local expenses budget.

Trustee Peterson noted that a printer had been previously purchased for the LTC due to difficulties with off-island printing; so only paper would need to be purchased for communications going forward.

13.4 Adopted Policies and Standing Resolutions

Received.

13.5 Local Trust Committee Webpage

14. WORK PROGRAM

14.1 Active Projects Report dated March 13, 2023

Trustee Peterson requested that staff clarify the status of the following active minor project for next meeting:

'Updated August 29, 2022: Staff to bring a report back on options for submission for delegation materials and meeting notice for new meetings consistent with Standing Resolution 2022-022 in the meeting procedure bylaw. (Submission of documents before agenda package is published or at the meeting.)'

14.2 Future Projects Report dated March 13, 2023

Received.

15. UPCOMING MEETINGS

15.1 Next Regular Meeting Scheduled for Monday, May 8, 2023 at 11:00 am at Judith Fisher Centre, #1 China Cloud Bay Road, Lasqueti Island, BC

16. ADJOURNMENT

By general consent the meeting was adjourned at 1:38 pm.

Tobi Elliott, Chair

Certified Correct:

Katherine Vogt, Recorder